

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BURBRAN PIERRE, on behalf of himself and
others similarly situated,

Plaintiff,

v.

CITY OF NEW YORK, NEW YORK CITY
POLICE DEPARTMENT, TD BANK N.A.,
DUANE READE INC., B & H PHOTO VIDEO
PRO AUDIO LLC, BLOOMBERG L.P., WHOLE
FOODS MARKET GROUP, INC., TRIHOP 14TH
STREET LLC, and DOES NOS. 1-10,

Defendants.

Civil Action No.: 1:20-cv-05116(ALC)(DCF)

**NOTICE OF PLAINTIFF’S MOTION FOR PRELIMINARY APPROVAL OF THE
PROPOSED SETTLEMENT, CERTIFICATION OF THE SETTLEMENT CLASS,
APPOINTMENT OF CLASS COUNSEL, AND APPROVAL OF PLAINTIFF’S NOTICE OF
SETTLEMENT AND CLAIM FORM**

PLEASE TAKE NOTICE that Plaintiff Burbran Pierre (“Plaintiff”), on behalf of himself and the proposed Class,¹ respectfully moves this Court for an Order pursuant to Rule 23(e) of the Federal Rules of Civil Procedure for: (i) preliminary approval of Plaintiff’s proposed settlement with Defendant Whole Foods Market Group, Inc.; (ii) certification of the proposed settlement class; (iii) appointment of Faruqi & Faruqi, LLP as class counsel; and (iv) approval of Plaintiff’s proposed Notice of Settlement and Claim Form.

This motion is based upon the accompanying Settlement Agreement, the Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Approval of the Proposed Settlement,

¹ “Class” is defined in § I(I) of the Settlement Agreement and Release (“Settlement Agreement”), filed concurrently herewith.

Certification of the Settlement Class, Appointment of Class Counsel, and Approval of Plaintiff's Notice of Settlement and Claim Form, the Declaration of Innessa M. Huot in support hereof, and all related exhibits.

Dated: October 25, 2021
New York, New York

Respectfully submitted,

FARUQI & FARUQI, LLP

By: /s/ Innessa M. Huot
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*Attorneys for Plaintiff, the proposed FLSA
Collective, and the proposed Class*